

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor	: John W. Countz	
Appln. No.	: 10/642,359	
Filed	: August 15, 2003	Group Art Unit: 3721
Title	: Positive Pressure Fresh Meat Packaging System	Examiner: 14598.01

DECLARATION FOR UTILITY PATENT APPLICATION
(37 C.F.R. § 1.63)

As a below named inventor, I hereby declare that my mailing address and citizenship are as stated below.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

Positive Pressure Fresh Meat Packaging System

the specification of which:

☐ is attached hereto OR

☒ was filed on August 15, 2003 as United States Application Number 10/642,359 or PCT International Application Number and amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information known to me that is material to patentability as defined in 37 C.F.R. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

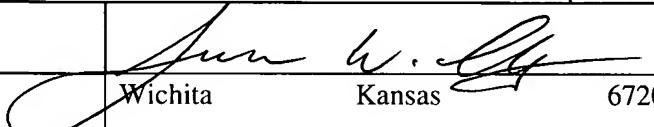
Application Number(s)	Filing Date (MM/DD/YYYY)
60/443,044	01/28/2003

PLEASE DIRECT ALL CORRESPONDENCE TO:

The address associated with **Customer Number: 25763**, currently:

Name	Devan V. Padmanabhan	
Address	DORSEY & WHITNEY LLP Intellectual Property Department Suite 1500 50 South Sixth Street Minneapolis, MN 55402-1498	CUSTOMER NUMBER 25763
Telephone	612-340-7990	
Fax	612-340-8856	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Sole or First Inventor:			
Given Name (First and middle)		Family Name or Surname	
John W.		Countz	
Inventor's Signature			Date: 12-8-2003
Residence	Wichita	Kansas	67208
	City	State	Zip
Post Office Address	102 N. Edgemoor		



Docket: 14598.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	John W. Countz	
Appln. No.:	10/642,359	
Filed:	August 15, 2003	Examiner: Unknown
Title:	Positive Pressure Fresh Meat Packaging System	Group Art Unit: 3721

POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this document is being sent via First Class U.S. mail addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 8 day of December, 2003.

Francis E. ...

(Signature)

Sir:

In the above-referenced patent application, on behalf of Excel Corporation, I hereby appoint the Dorsey & Whitney LLP attorneys and agents associated with Customer Number 25763 to prosecute the patent application identified above and to transact all business in the Patent and Trademark Office connected therewith, including full power of association, substitution, and revocation.

Please address all telephone calls to: Devan V. Padmanabhan at (612) 340-7990.

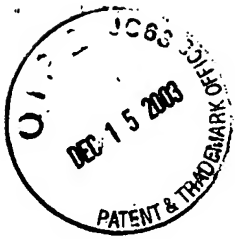
Please address all correspondence to Devan V. Padmanabhan at the address corresponding to Customer Number **25763**, currently:

DORSEY & WHITNEY LLP
Intellectual Property Department
Suite 1500
50 South Sixth Street
Minneapolis, Minnesota 55402-1498

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of **Excel Corporation**.

Dated: December 8, 2003

Signature: [Signature]
Name: Joseph J. Lamm
Title: Vice President, Legal



Docket: 14598.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	John W. Countz	Examiner: Unknown Group Art 3721 Unit:
Appln. No.:	10/642,359	
Filed:	August 15, 2003	
Title:	Positive Pressure Fresh Meat Packaging System	

SUBMISSION UNDER 37 C.F.R. § 3.73(b)

Mail Stop Assignment Recordation Services
Director of the US Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this document is being sent via First Class U.S. mail addressed to: Mail Stop Assignment Recordation Services, Director of the US Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on this 10th day of Dec, 2003.

FACSIMILE NO.: 703.306.5995

Francis E. Cook
(Signature)

Sir:

Excel Corporation, a Delaware corporation, is an owner of the patent application identified above by virtue of either:

1. ☒ An assignment from the inventor(s) of the patent application identified above, a copy of which is attached.

OR

2. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:
- a. From: To:
The document was recorded in the U.S. Patent and Trademark Office at Reel , Frame , or a copy of which is attached.
- b. From: To:
The document was recorded in the U.S. Patent and Trademark Office at Reel , Frame , or a copy of which is attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of **Excel Corporation**.

Dated: December 8, 2003

Signature: [Signature]
Name: Jon D. Lemm
Title: Vice President, Legal

ASSIGNMENT

[Entity]

Attorney Docket No.: 14598.01

Page 1 of 1

First Named Inventor: John W. Countz

Title: Positive Pressure Fresh Meat Packaging System

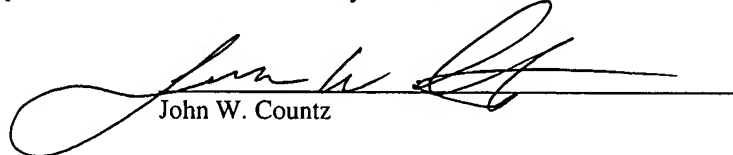
WHEREAS, I, John W. Countz, residing in Wichita, Kansas 67208, have invented certain new and useful improvements as described in an application entitled **Positive Pressure Fresh Meat Packaging System** for Letters Patent of the United States, the application being identified in the United States Patent and Trademark Office by Application No. 10/642,359, filed August 15, 2003; and

WHEREAS, Excel Corporation, a corporation organized and existing under the laws of the State of Delaware, and having offices at 151 North Main Street, Wichita, Kansas 67201, ("Assignee") is desirous of acquiring the entire right, title and interest in and to the invention, the application, and any and all Letters Patent or similar legal protection, foreign or domestic, to be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, I transfer to Assignee, its successors and assigns, my entire right, title, and interest in and to the invention, the above-identified patent application, corresponding domestic applications (including divisionals, continuations, and continuations-in-part), corresponding foreign applications, all Letters Patent or similar legal protection issuing thereon, and all rights and benefits under any applicable treaty or convention; and I authorize the Commissioner of Patents and Trademarks of the United States or foreign equivalent thereof to issue the Letters Patent or similar legal protection to the Assignee.

I authorize the Assignee, its successors and assigns, or anyone it may properly designate, to apply for Letters Patent or similar legal protection, in its own name if desired, in any and all foreign countries.

I represent to the Assignee, its successors and assigns, that I have not and shall not execute any writing or do any act whatsoever conflicting with this Assignment. I, my executors or administrators, will at any time upon request, without additional consideration, but at the expense of the Assignee, its successors and assigns, execute such additional writings and do such additional acts as the Assignee, its successors and assigns, may deem desirable to perfect its enjoyment of this grant, and render all assistance in making application for and obtaining, maintaining, and enforcing the Letters Patent or similar legal protection on the invention in any and all countries.


John W. Countz

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF Kansas
COUNTY OF Sedgewick : SS.

Subscribed and sworn to before me, a Notary Public, this 8 day of December, 2003.


Notary Public

(SEAL)

